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# PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

Rigge 7

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Application Number

10/672,656

Filed

9/26/03

First Named Inventor

Lawrence A. Rigge

Art Unit

2617

Examiner

Kiet M. Doan

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).  
Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)

☒ attorney or agent of record  
Registration number 36,597

☐ attorney or agent acting under 37 CFR 1.34

Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

*Kevin M. Mason*

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Telephone number

March 12, 2007

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Patent Application**

Applicant(s): Lawrence A. Rigge  
Case: 7  
Serial No.: 10/672,656  
Filing Date: September 26, 2003  
Group: 2617  
Examiner: Unassigned

Title: Method and System for Wireless Communication with an Integrated  
Circuit Under Evaluation

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MEMORANDUM IN SUPPORT OF  
PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The present invention and prior art have been summarized in Applicants' prior responses.

STATEMENT OF GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-2, 13-14, and 25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cruz-Albrecht et al. (United States Patent Application Publication Number 2002/0183009). Claims 4 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cruz-Albrecht et al. in view of Kashima (United States Patent Number 6,659,356). Claims 5, 7-12, 17, and 19-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cruz-Albrecht et al. in view of Schmidt (United States Patent Application Publication Number 2002/0196029). Claims 6 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cruz-Albrecht et al. in view of Mowery (United States Patent Number 6,492,897).

Arguments

Independent Claims 1, 13 and 25

Independent claims 1, 13, and 25 were rejected 35 U.S.C. §103(a) as being unpatentable over Cruz-Albrecht et al. In particular, the Examiner asserts that Cruz-Albrecht teaches transmitting a wireless signal from an integrated circuit device to a monitoring station using an antenna associated with the integrated circuit device (Abstract; paragraphs [0019-0020], [0062-0065]; FIG. 5A)

Independent claims 1, 13, and 25 require that the antenna is a pin on the integrated circuit device. In the Response to Arguments section, the Examiner asserts that Cruz-Albrecht teaches wherein said antenna is a pin on said integrated circuit device (paragraphs [0009-0010]; FIG. 2). In the text cited by the Examiner, Cruz-Albrecht does *not* disclose or suggest *pins* on an integrated circuit device, and does *not* disclose or suggest wherein an *antenna is a pin* on an integrated circuit device.

Rather, Fig. 2 merely illustrates integrated circuit device 210/214 coupled to the circuit board. The Examiner further asserts that “to make more clear” pars. [0062-0065] and Fig. 5c illustrate integrated circuit 516 contains/embedded antenna 520 and “for the skill in the art” that antenna is pins (and can be printed) on an integrated circuit. First, there is no explicit teaching in Cruz-Albrecht that the antenna 520 is a pin. In fact, to the contrary, par. [0065] merely states that the antenna 520 is “embedded within integrated circuit 516.” Merriam-Webster defines “embedded” as “being an integral part of.”

A person of ordinary skill in the art would recognize that a pin would normally be used to connect the integrated circuit to an *external* antenna or radio (See, for example, Fig. 5b). A person of ordinary skill in the art would interpret the “embedded” antenna 520 as being *part of* the integrated circuit (e.g., printed on the silicon).

Independent claims 1, 13, and 25 require that the antenna is a pin on the integrated circuit device. Cruz-Albrecht et al. do not disclose or suggest “wherein said antenna is a pin on said integrated circuit device,” as required by independent claims 1, 13, and 25.

#### Dependent Claims

Dependent Claims 2, 4-12, 14, 16-24 are dependent on claims 1 and 13, respectively, and are therefore patentably distinguished over Cruz-Albrecht et al., Kashima, Schmidt, and Mowery, alone or in combination, because of their dependency

from independent claims 1 and 13 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

All of the pending claims, i.e., claims 1-2, 4-14 and 16-25, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below. The Examiner's attention to this matter is appreciated.

Respectfully submitted,



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